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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ROQUE MARTINEZ,

Plaintiff,

vs.

LELAND DUDEK, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY<sup>1</sup>,

Defendant.

Case No. 1:24-cv-01245-BAM

STIPULATION AND ~~PROPOSED~~  
ORDER FOR EXTENSION OF  
TIME

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 4-day extension of time, from March 17, 2025 to March 21, 2025, for Plaintiff to serve on defendant with PLAINTIFF'S

<sup>1</sup> Leland Dudek became the Acting Commissioner of Social Security on February 16, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland Dudek should be substituted for Michelle King as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's  
2 Scheduling Order shall be extended accordingly.

3 This is Plaintiff's second request for an extension of time. Plaintiff  
4 respectfully states that the requested extension is necessary due several merit briefs  
5 being due on the same week. For the week of March 17, 2025, Plaintiff's Counsel  
6 has seven Merit briefs due. Counsel requires additional time to brief the issues  
7 thoroughly for the Court's consideration. Defendant does not oppose the requested  
8 extension. Counsel apologizes to the Defendant and Court for any inconvenience  
9 this may cause.

10  
11 Respectfully submitted,

12 Dated: March 12, 2025

PENA & BROMBERG, ATTORNEYS AT LAW

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14 By: /s/ Jonathan Omar Pena  
15 JONATHAN OMAR PENA  
16 Attorneys for Plaintiff

17  
18 Dated: March 12, 2025

PHILLIP A. TALBERT  
United States Attorney  
MATTHEW W. PILE  
Associate General Counsel  
Office of Program Litigation, Office 7

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23 By: \*/s/ Justin Lane Martin  
24 Justin Lane Martin  
25 Special Assistant United States Attorney  
26 Attorneys for Defendant  
27 (\*As authorized by email on March 12, 2025)  
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**ORDER**

Pursuant to stipulation, and cause appearing, Plaintiff shall have a 4-day extension of time to March 21, 2025, to file a Motion for Summary Judgment. All other deadlines in the Court's Scheduling Order are modified accordingly. No further extensions of time will be granted absent a demonstrated showing of good cause.

IT IS SO ORDERED.

Dated: March 13, 2025

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE